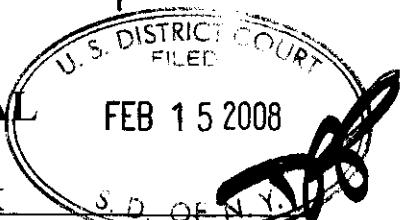


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKDocument # 6*Princoes*

-v-

The Orchard Enterprises, Inc.

U.S.C.A. # _____

U.S.D.C. # 08cv-0336JUDGE: KMWDATE: Feb. 15, 2008

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME): THOMAS R. PISARCZYK
 FIRM: U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK
 ADDRESS: 500 PEARL STREET, ROOM 370
NEW YORK, NEW YORK 10007
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DISTRICT COURT DOCKET ENTRIES _____

DOCUMENT DESCRIPTION DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

(X) Original Record

____) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
 for the Second Circuit on the 15th Day of February, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Prinouse

-V-

The Orchard Enterprises, Inc.

U.S.C.A. # _____

U.S.D.C. # 08-cv-0336

JUDGE: KMW

DATE: Feb 15, 2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered _____ Through _____, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York,
this 1st Day of February In this year of our Lord, Two Thousand and Eight, and the Independence of
the United States this 232nd year.

J. Michael McMahon, Clerk

By

✓ Benny Clerk

APPEAL, CLOSED, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-00336-KMW
Internal Use Only

Primous v. The Orchard Enterprises, Inc.
 Assigned to: Judge Kimba M. Wood
 Cause: 28:1331 Fed. Question

Date Filed: 01/15/2008
 Date Terminated: 01/15/2008
 Jury Demand: None
 Nature of Suit: 440 Civil Rights: Other
 Jurisdiction: Federal Question

Date Filed	#	Docket Text
01/15/2008	1	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Matthew Primous. (laq) (Entered: 01/18/2008)
01/15/2008	2	COMPLAINT against The Orchard Enterprises, Inc. Document filed by Matthew Primous. (laq) (Entered: 01/18/2008)
01/15/2008		Magistrate Judge Douglas F. Eaton is so designated. (laq) (Entered: 01/18/2008)
01/15/2008	3	ORDER OF DISMISSAL, The Court grants plaintiff's application to proceed in forma pauperis, but dismiss the complaint for the reasons set forth. Accordingly, the complaint is dismissed for lack of subject matter jurisdiction. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 1/15/08) (laq) (Entered: 01/18/2008)
01/15/2008	4	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 1/15/08) (laq) (Entered: 01/18/2008)
01/29/2008	5	NOTICE OF APPEAL from 4 Judgment - Sua Sponte (Complaint) 3 Order Dismissing Complaint (I.F.P.). Document filed by Matthew Primous. (tp) (Entered: 02/14/2008)
01/29/2008		Appeal Remark as to 5 Notice of Appeal filed by Matthew Primous. \$455.00 APPEAL FEE DUE. IFP REVOKED 1/18/08. (tp) (Entered: 02/14/2008)
02/14/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 5 Notice of Appeal. (tp) (Entered: 02/14/2008)
02/14/2008		Transmission of Notice of Appeal to the District Judge re: 5 Notice of Appeal. (tp) (Entered: 02/14/2008)